

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

EUGENE LIGER, ET AL.,
Plaintiffs in a Collection Action

V.

NEW ORLEANS HORNETS NBA
LIMITED PARTNERSHIP

Defendant.

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NO. SA-07-MC-0515-FB-PMA

SUBPOENA IN A CIVIL CASE
PENDING IN THE EASTERN DISTRICT
OF LOUISIANA,
CIVIL ACTION NO. 05-1969 C-5

**NON-PARTY SAN ANTONIO SPURS' MOTION TO WITHDRAW
ITS MOTION FOR PROTECTIVE ORDER PURSUANT TO FED. R. CIV. P. 26,
AND MOTION TO QUASH SUBPOENA PURSUANT TO FED. R. CIV. P. 45**

Non-party San Antonio Spurs, L.L.C. ("Non-party Spurs") hereby files this Motion to Withdraw Its Motion for Protective Order Pursuant to Fed. R. Civ. P. 26, and Motion to Quash Subpoena Pursuant to Fed. R. Civ. P. 45, previously filed in connection with a *subpoena duces tecum* issued in *Liger et al. v. New Orleans Hornets NBA Limited Partnership*, Civil Action No. 05-1969 C-5, In the United States District Court for the Eastern District of Louisiana ("*Liger* case"), and respectfully shows the Court as follows:

1. On or about May 30, 2007, Non-party Spurs received a copy of a *subpoena duces tecum* in the *Liger* case currently pending in the Eastern District of Louisiana. On June 15, 2007, Non-party Spurs filed its Objections, Motion for Protective Order Pursuant to Fed. R. Civ. P. 26, and Motion to Quash Subpoena Pursuant to Fed. R. Civ. P. 45.

2. Non-party Spurs hereby requests that its Motion for Protective Order Pursuant to Fed. R. Civ. P. 26, and Motion to Quash Subpoena Pursuant to Fed. R. Civ. P. 45 be withdrawn. This motion is being made pursuant to an agreement between counsel for Plaintiffs and counsel for Non-party Spurs. Non-party Spurs reserves the right to re-file its Motion for Protective Order and Motion to Quash Subpoena at a later date should re-filing be necessary to protect the rights of the Non-party Spurs.

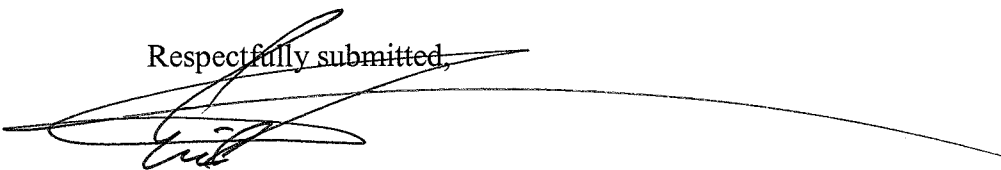
3. Concurrently with this Motion to Withdraw, Non-party Spurs is re-filing its objections to the *subpoena duces tecum* as a separate document.

Prayer

WHEREFORE, PREMISES CONSIDERED, Non-party Spurs requests that the Court grant its request to withdraw its Motion for Protective Order Pursuant to Fed. R. Civ. P. 26, and Motion to Quash Subpoena Pursuant to Fed. R. Civ. P. 45.

DATED: June 25, 2007

Respectfully submitted,



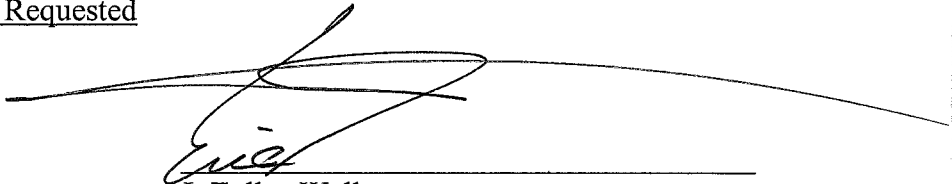
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ATTORNEYS FOR NON-PARTY SAN ANTONIO SPURS, L.L.C.

Certificate of Service

I hereby certify that on the 25th day of June, 2007, a copy of the foregoing *Non-party San Antonio Spurs' Motion to Withdraw Its Motion for Protective Order Pursuant to Fed. R. Civ. P. 26, and Motion to Quash Subpoena Pursuant to Fed. R. Civ. P. 45*, was served on counsel of record, as follows:

Ms. Elvige Cassard
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ATTORNEY FOR PLAINTIFFS
EUGENE LIGER, ET. AL.,
Facsimile and
Certified Mail, Return Receipt Requested



J. Tullos Wells